
IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH

CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILFORD FRANK WINTER,

Defendant.

**MEMORANDUM DECISION
AND ORDER**

Case No. 2:05CR543DAK

Judge Dale A. Kimball

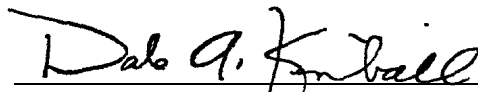
Defendant Wilford Frank Winter has filed a motion for early termination of his remaining supervised release. Defendant was sentenced to forty-six months incarceration and a term of one hundred twenty months of supervised release. Defendant's term of supervised release began September 11, 2009. Therefore, his term of supervised release is set to terminate September 2019.

Pursuant to 18 U.S.C. § 3583(e)(1), after considering the factors set forth in Section 3553(a)(1), (a)(2)(B), (a)(2)(C), (a)(2)(D), (a)(4), (a)(5), and (a)(6), the court may terminate a term of supervised release "at any time after the expiration of one year of supervised release . . . if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice." The factors to be considered in Section 3553(a) are those factors to be considered in imposing a sentence, including "the nature and circumstances of the offense and the history and characteristics of the defendant," the applicable sentencing guidelines and any

policy statements issued by the Sentencing Commission, and the need for the sentence imposed to promote respect for the law, to provide just punishment, to deter other criminal conduct, and to provide the defendant with needed services. *See* 18 U.S.C. § 3553(a).

Defendant's letter indicates that he has completed a four-level sexual offense program and continues to be in a stable and supportive marriage. Defendant's letter demonstrates that he regrets his prior actions and has worked hard to learn how to make better decisions. Defendant's Probation Officer previously informed the court that Defendant had made significant improvement during his supervised release. His Probation Officer has not opposed Defendant's current request for early termination despite the court's attempts to seek input. Although the nature of Defendant's offense justified a lengthy period of supervised release, Defendant has not had any problems in almost eight years of supervised release. Defendant's employer submitted a letter supporting him. His employer stated that Defendant is an excellent employee who is a responsible hard-worker with a good attitude. Defendant's ecclesiastical leader also sent the court a letter outlining his support and expressing Defendant's remorse for his past actions, Defendant's consistently responsible behavior in meeting with his leader and fulfilling assignments, and Defendant's efforts to be a good husband and father. Based on Defendant's behavior and the strong support system around him, the court GRANTS Defendant's motion for early termination of supervised release.

DATED this 24th day of April, 2017.



DALE A. KIMBALL
United States District Judge